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Immigration lawyer warns cost of goods will go up because of H2B denials

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Attorney Jeffrey Joseph says a settlement has been proposed with the federal government.

Guam - The recent H2B visa denials could have severe impacts for the local economy, according to an immigration lawyer representing the Guam Contractors Association in a lawsuit they filed against the US Citizenship and Immigration Service in federal court.

Attorney Jeff Joseph says wages for local labor has already gone up and pretty soon--and if the trend continues--he says the cost of goods will go up as well.

"So we have a lot of work left before us to do but from our perspective the first step in this case is incredibly positive and we're feeling very happy and pleased with how the case came out," said Joseph.

On Tuesday, lawyers spent hours in District Court arguing for and against a preliminary injunction on the recent H2B visa denials. The USCIS in the last year has denied H2B petitions at a rate of nearly 100 percent. The Guam Contractors Association, in a lawsuit they filed against the federal government, is seeking a reversal of that through a preliminary injunction.

Today, Joseph gave a presentation to members of the GCA about the potential impacts of these denials as well as an update on the case. He also briefed the media on his presentation. Joseph says they're hoping the case would resolve on its own through a settlement.

"We do have a proposal with the government for a settlement and the judge has given us two weeks to try and resolve that and submit a status report to the court for that settlement. We believe that it's a very good settlement, that it would resolve all the issues in the lawsuit now and into the future," he said, adding that settlement negotiations will remain confidential until they're resolved.

In the event they cannot reach an agreement and in the event a preliminary injunction is not granted, the impacts to not just contractors but to the local economy could be disastrous, he emphasized.

"The wages have already gone up on the island as a result of all this. They're already--wages for every position for contractors are increasing. That's already happening," he noted.

And with the military buildup looming on the horizon, Joseph says without enough labor on the island, the prices of goods could soon go up. This, he says, is because contractors will compete with one another, which he points out is already happening.

"The months of January and March, it looks like are really when the buildup is gonna start and we predict that's when we're gonna see some critical mass in terms of a real, real need for workers," Joseph explained.

"Right now the military has got things going on with munitions, mitigation and other issues and so once the buildup starts we're gonna see a lot of shuffling of workers from commercial building and residential building to the military. I think we're gonna see an inflation in costs on the island because employers are gonna be competing with each other for these workers and having to pay higher wages and that's gonna get costs--is gonna get passed on to the consumer. So I do think that within the next two months we're gonna see some major changes, impacts on the economy of the island and everyday people on the island"

In their lawsuit, GCA and several local contractors argue that the USCIS arbitrarily and capriciously changed their policy on the H2B program when they decided to deny H2B petitions without any explanation.

The US Attorney General's Office, however, countered that there was no change to their policy and they alluded to an abuse of the policy as the reason behind the recent denials.

US Magistrate Judge Joaquin Manibusan has taken the motion for preliminary injunction under advisement.

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